

**ASSEMBLY BILL**

**No. 1795**

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**Introduced by Committee on Agriculture (Galgiani (Chair), Tom Berryhill (Vice Chair), Conway, Ma, Mendoza, and Yamada)**

February 10, 2010

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An act to amend Section 76750 of, and to repeal Section 75540 of, the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

AB 1795, as introduced, Committee on Agriculture. Agriculture: marketing advisory and promotional councils and commissions.

(1) Existing law establishes in state government the California Apple Commission, which consists of 12 apple producer and handler members and one public member. Existing law specifies that the term of office of each member of the commission, except ex officio members, is 4 years, and limits the number of terms of office of each member to 4 consecutive terms.

This bill would delete the limitation on the number of terms of office.

(2) Existing law establishes in state government the California Salmon Council and provides that the council may, subject to the approval of the Secretary of Food and Agriculture, exercise specified powers which may be delegated to the council by the secretary, including, among others, the power to make contracts and other agreements to promote the sale of salmon and salmon products on either a local, state, national, or international basis.

This bill would also authorize the council to present facts to, and negotiate with, state, federal, and foreign agencies on matters that affect the provisions relating to the council.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 75540 of the Food and Agricultural Code  
2     is repealed.  
3     ~~75540. The terms of office of each member shall be limited to~~  
4     ~~four consecutive terms.~~  
5     SEC. 2. Section 76750 of the Food and Agricultural Code is  
6     amended to read:  
7     76750. The duties of the council shall be advisory, except as  
8     to those duties ~~which~~ *that* may be delegated to it by the ~~director~~  
9     ~~secretary~~ or as otherwise designated in this chapter. The council  
10    may, subject to the approval of the ~~director~~ ~~secretary~~, exercise any  
11    of the following powers ~~which~~ *that* may be delegated to the council  
12    by the ~~director~~ ~~secretary~~:  
13    (a) To recommend to the ~~director~~ ~~secretary~~ administrative  
14    regulations ~~which~~ *that* relate to the administration and enforcement  
15    of this chapter.  
16    (b) To investigate all matters ~~which~~ *that* affect the administration  
17    of this chapter, and to report violations of ~~it~~ *this chapter* to the  
18    ~~director~~ ~~secretary~~.  
19    (c) To employ and, at its pleasure, discharge a manager and  
20    such clerical help and other employees as it deems necessary, and  
21    to prescribe their duties and powers and fix their compensation.  
22    (d) To contract with, or employ, and at its pleasure, discharge  
23    any other persons that it deems necessary, and in the cases of ~~such~~  
24    ~~of them as~~ *those persons* it shall employ, to outline their powers  
25    and duties and fix their compensation.  
26    (e) To establish offices and incur expenses incidental thereto.  
27    (f) To make contracts and other agreements that may be proper  
28    to promote the sale of salmon and salmon products on either a  
29    local, state, national, or international basis.  
30    (g) (1) To cooperate with any other local, state, or national  
31    commission, organization, or agency, whether voluntary or created  
32    by state or federal law, including, but not limited to, the Oregon  
33    Salmon Commission, the West Coast Fisheries Development  
34    Foundation, the Coastal Fisheries Foundation, and the National  
35    Fish and Seafood Promotion Council, ~~which~~ *that* is engaged in

1 work or activities similar to the work and activities of the council,  
2 and to recommend to the ~~director~~ *secretary* the making of contracts  
3 and agreements with those organizations or agencies for carrying  
4 on joint programs of education, research, publicity, and advertising.

5 (2) To recommend to the ~~director~~ *secretary* the making of  
6 contracts and agreements with other councils, commodity  
7 commissions, or producer organizations for joint programs of  
8 publicity and advertising where those products are compatible with  
9 the promotion of salmon and salmon products.

10 (3) In matters of research, to cooperate with organizations of  
11 recognized professional standing ~~which~~ *that* are adequately  
12 equipped with facilities for the research ~~which~~ *that* is contemplated.

13 (h) To recommend to the ~~director~~ *secretary* the institution and  
14 promotion of scientific research to develop or discover, or both,  
15 the health, food, therapeutic, dietetic, and other uses of salmon.

16 (i) (1) To receive, invest, and disburse funds pursuant to Article  
17 8 (commencing with Section 76900).

18 (2) To allocate funds to agencies not specifically or solely  
19 engaged in carrying on research or promotion for salmon, if the  
20 council and the ~~director~~ *secretary* are satisfied that those allocations  
21 will be beneficial to the California salmon fishery and will tend  
22 to effectuate the declared purposes of this chapter.

23 (j) *To present facts to, and negotiate with, state, federal, and*  
24 *foreign agencies on matters that affect this chapter.*